

Docket No.: 110267-201 US3



PATENT/OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Stebbing et al.

Serial No. 10/067,318

Filed: 7 February 2002

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: Group Art Unit: 2876
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: Examiner: Ahshik Kim

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For: SECURITY MARKING SYSTEM AND METHOD
FOR MINIMIZING PIRATING OF DATA ON DATA MEDIA
INCLUDING COMPACT DISCS AND DIGITAL VERSATILE DISCS

TERMINAL DISCLAIMER PURSUANT TO 37 CFR § 1.321(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RECORDING INDUSTRY ASSOCIATION OF AMERICA (Your Petitioner), having an office at 1330 Connecticut Ave., N.W., Suite #300, Washington, D.C. 20036, represents that it is the Assignee of the entire right, title and interest in and to U.S. Application Serial No. 10/067,318, entitled SECURITY MARKING SYSTEM AND METHOD FOR MINIMIZING PIRATING OF DATA ON DATA MEDIA INCLUDING COMPACT DISCS AND DIGITAL VERSATILE DISCS filed on 7 February 2002, by virtue of an Assignment executed by the inventors on 20 July 1999, and recorded at Reel 012593, Frame 0921.

Your Petitioner further represents that it is the assignee of the entire right, title and interest in and to United States Patent No. 6,477,134 (201 US1), by virtue of the Assignment executed by the inventors on 20 July 1999, and recorded at Reel 010416, Frame 0455.

Your Petitioner hereby disclaims the terminal part of any patent granted on said U.S. Application Serial No. 10/067,318, which would extend beyond the expiration date of U.S. Patent No. 6,477,134 and any patent(s) which issue therefrom.

Your Petitioner further agrees that any patent issuing on said U.S. Patent Application Serial No. 10/067,318 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,477,134 and any patent(s) which issue therefrom, this agreement to run with any patent granted on said U.S. Patent Application Serial No. 10/067,318 and to be binding upon the grantee, its successor or assigns.

In making the above disclaimer, petitioner does not disclaim any terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§§§ 154, 155, 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned Attorney of Record further declares that all statements made herein of its own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Please charge the \$110.00 Disclaimer fee to Deposit Account Number 08-0219.

Respectfully submitted,

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